

REC'D TN  
REGULATORY AUTH.

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OFFICE OF THE  
EXECUTIVE SECRETARY

April 14, 1999

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Dear Mr. Waddell:

Re: Petition of Ben Lomand Communications, Inc.  
for Approval of An IntraLATA Toll Dialing  
Parity Implementation Plan, Docket No. 99-00258

Enclosed is an original and 13 counterparts of the petition of Ben Lomand Communications, Inc. requesting that the Authority consider and approve a certain IntraLATA Toll Dialing Parity Implementation Plan which is incorporated into the petition by reference and is attached to the petition as Exhibit 1.

One of the counterparts is to be stamped with the filing date for my file and returned to me in the self-addressed stamped envelope enclosed. The remaining counterparts are for the use of the Tennessee Regulatory Authority and its staff.

If there is additional information or modification which the directors or the staff of TRA might feel would be of assistance to the Authority, I would appreciate your getting in touch with me at your earliest convenience.

Very truly yours,

*James W. Dempster*  
James W. Dempster

JWD:rml

Enclosures

c: Joe C. Roper, Pres., BLC  
Levoy Knowles, Exec. VP, BLC

BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

REC'D TN  
REGULATORY AUTH.

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OFFICE OF THE  
EXECUTIVE SECRETARY

99-00258

IN RE:

PETITION OF BEN LOMAND COMMUNICATIONS, )  
INC. FOR APPROVAL OF AN INTRALATA TOLL )  
DIALING PARITY IMPLEMENTATION PLAN )

Docket No.

99-00258

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PETITION OF  
BEN LOMAND COMMUNICATIONS, INC.  
FOR APPROVAL OF AN INTRALATA TOLL DIALING PARITY  
IMPLEMENTATION PLAN

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Ben Lomand Communications, Inc., (BLC), petitions the Tennessee Regulatory Authority (the "TRA" or "Authority") for approval of its intraLATA toll dialing parity implementation plan, which is attached to this petition and designated as Exhibit 1 and referred to as Exhibit 1 in this petition and incorporated into this petition by reference as fully as if copied herein, and would respectfully show the Authority as follows:

1. Ben Lomand Communications, Inc. is a for profit corporation organized and existing under the laws of the state of Tennessee, is a viable corporation, and is authorized to do business in the state of Tennessee, and is in good standing. Its address is 1111 Smithville Highway, McMinnville, TN 37110, Telephone (931) 668-1010, Fax Line No. (931) 668-1013.

2. Section 251(b)(3) of the Telecommunications Act of 1996, 47 U.S.C. § 251(b)(3) requires that LECs afford dialing parity to all telecommunications service providers.

3. The Telecommunications Act of 1996, Section 3(a)(44) Local Exchange Carrier--defines local exchange carrier as follows:

The term 'local exchange carrier' means any person that is engaged in the provision of local exchange service or exchange access. Such term does not include a person insofar as such person is engaged in the provision of a commercial mobile service under Section 332(c), except to the extent that the Commission finds that such service should be included in the definition of such term.

At a meeting of the Tennessee Regulatory Authority held on February 16, 1999, at which all directors of the Authority were present and participated, by unanimous vote, the directors sustained the application of Ben Lomand Communications, Inc. for a certificate of public convenience and necessity to provide telecommunications services in the counties of Warren and White of the state of Tennessee and all geographic locations within those counties permitted by the provisions of TCA Section 65-4-201, and though a formal order has not gone down, to the best of BLC's knowledge, and it has not received a formal written certificate of convenience and necessity from the Authority, it is a LEC and is legally bound under the FCC order to petition the state regulatory agency (Tennessee Regulatory Authority) for approval of an intraLATA toll dialing parity implementation plan.

3. Pursuant to Section 251(b)(3) of the Act, the Federal Communications Commission has promulgated rules for implementation of toll dialing parity and has imposed upon LECs and on each state regulatory commission for each state in which the LEC provides telephone exchange service in Tennessee, the Tennessee Regulatory Authority, an obligation to file a plan and for the Authority to take action on the LECs petition.

4. Though Ben Lomand Communications, Inc. as of the date of the filing of this petition has no lines or interconnection contracts in place, it has devised an IntraLATA Toll Dialing Parity Implementation Plan which will conform to the criteria set out by the Federal Communications Commission and the Tennessee Regulatory Authority, Exhibit 1

to this petition, which would automatically activate with the acceptance by the petitioner of the first accepted subscriber.

PREMISES CONSIDERED PETITIONER PRAYS:

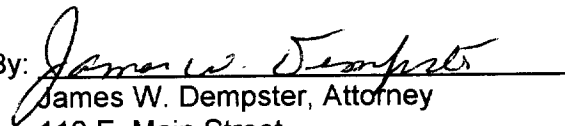
1. That the Tennessee Regulatory Authority accept this petition, and upon hearing or its own motion, consider and approve its IntraLATA Toll Dialing Parity Implementation Plan set out as Exhibit 1 to this petition.
2. The Authority grant the petitioner, Ben Lomand Communications, Inc., such other, further, and general relief as the Authority might consider it entitled to under the premises.

DATED: This 14 day of April, 1999.

Respectfully submitted,

BEN LOMAND COMMUNICATIONS, INC.

By:

  
James W. Dempster, Attorney  
118 E. Main Street  
P.O. Box 332  
McMinnville, TN 37111-0332  
Phone: (931) 473-4934  
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Judy Kelsey, Manager of Operations  
Ben Lomand Communications, Inc.  
1111 Smithville Highway  
Phone No. (931) 668-1010  
Fax No. (931) 668-1013

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and exact copy of the within and foregoing petition on behalf of Ben Lomand Communications, Inc. via United States Mail, first class postage prepaid, and properly addressed to the following:

**AT&T Communications**

**Gary Andraza, Assistant Vice President**

**Government Affairs**

511 Union Street, Suite 700

Nashville, TN 37219

(615) 242-2815

**BellSouth Telecommunications, Inc.**

**Guy M. Hicks**

333 Commerce Street, Suite 2101

Nashville, TN 37201-3300

(615) 214-6301

**Citizens Communications**

**J. Michael Swatts**

**State Regulatory Director-South**

300 Bland Street

P.O. Box 770

Bluefield, WV 24701

(304) 325-1216

**Frontier Communications Services**

**Scott Nichols, Senior Manager**

**Regulatory Affairs**

1990 M. Street, N.W. Suite 500

Washington, D.C. 20036

(202) 293-0593

**ICG Telecom Services, Inc.**

**Michael McCaw**

315 Deaderick Street, Suite 2150

Nashville, TN 37238

(615) 251-4440

**MCI Telecommunications Corporation**

**Kathy Pounds, Director**

**Law and Public Policy**

780 Johnson Ferry Road, Suite 700

Atlanta, GA 30342

(404) 250-5500

**Sprint Communications Company, L.P.**

**Tony Key, Director**

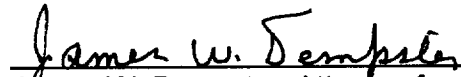
**State Regulatory**

3100 Cumberland Circle

Atlanta, GA 30339

(404) 649-5144

This 14 day of April, 1999.

  
James W. Dempster, Attorney for  
Ben Lomand Communications, Inc.

**BEN LOMAND COMMUNICATIONS, INC.**

**IntraLATA Toll Dialing Parity Implementation Plan**

**June 1, 1999**

**Implementation Date**

**BEN LOMAND COMMUNICATIONS, INC.**

**McMinnville, Tennessee**

**April 13, 1999**

**Exhibit 1 to the Petition of BEN LOMAND COMMUNICATIONS, INC. to the  
Tennessee Regulatory Authority for Approval of the subject plan.**

## **I. Purpose**

Ben Lomand Communications, Inc. (BLC) has described herein the process for implementing intraLATA toll dialing parity in the BLC exchanges located in the state of Tennessee. The intent of this Plan is to provide a proposal that, upon implementation, would provide customers the ability to select the telecommunications carrier of their choice for routing their intraLATA toll calls.

## **II. IntraLATA Environment**

BLC currently has no customers. At the time customers receive service, they will be able to subscribe to the carrier of their choice for intraLATA as well as interLATA service (two-PIC subscription capability.) Customers will dial 1+ the area code and number to complete calls using their subscribed carrier. If customers wish to complete a call using a carrier other than their subscribed carrier, they will need to dial the carrier's access code.

Each end office switch will be equipped with the capability of allowing each end user subscriber to select "no-PIC" as a valid intraLATA subscription selection. Customers selecting "no-PIC" as their subscribed carrier will not be able to make intraLATA toll calls on a 1+ or 0+ dialed basis. Such customer will need to dial an access code each time he or she makes an intraLATA call.

In 1992, toll-free intraLATA county-wide calling was initiated for all Local Exchange Carrier's via an order from the Tennessee Public Service Commission. BellSouth currently maintains tax-code billing tables to identify "free-county-wide" intraLATA toll calls originated by BLC intraLATA toll customers and to ensure that billing does not occur on these calls. BLC will continue to process toll-free intraLATA county-wide calls in this manner for toll customers after implementation of intraLATA toll dialing as long as technically feasible.

## **III. Implementation Schedule**

BLC will provide intraLATA toll dialing parity in Tennessee at the time customer service is available.

## **IV. Carrier Selection Procedures**

BLC will implement the full Two-PIC (Primary Interexchange Carrier) carrier selection methodology. With the full two-PIC methodology, customers will be able to subscribe to one telecommunications carrier for interLATA toll calls and subscribe to the same or a different participating telecommunications carrier, for all intraLATA toll calls.



BLC employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain to customers the process for making PIC changes for intraLATA toll calls. Business Office personnel and the Customer Account Records system will be prepared to make changes in customer records based upon requests from customers or carriers and direct customers to their chosen intraLATA carriers. Processes will be in place to provide customers with an opportunity to choose their intraLATA toll carrier from a list of available carriers.

#### *New Installation Customers*

BLC customer contact representatives will be provided discussion guidelines that will provide a new customer with the following information:

1. Inform the customer that a choice of intraLATA toll providers is now available to him or her.
2. Offer to read the customer a list of available carriers in randomly generated order.
3. Advise the customer that various carriers provide intraLATA toll service.

Customers who do not make a positive choice for an intraLATA toll carrier will be notified that they will not be automatically defaulted to a carrier and will be required to dial an access code to place intraLATA toll calls until they make an affirmative choice for an intraLATA toll carrier.

#### **V. Carrier Notification**

Interexchange carriers will be notified of BLC intraLATA toll dialing parity implementation via Certified U. S. Mail at the same time they are notified of the C-LEC operation and the need to order trunking facilities. Certified carriers who enter the market after implementation will be added to the list of participating carriers within 30 days of notifying BLC.

BLC will offer BLC Listed Name and Address and BLC Change Activity Register services for the purpose of assisting the carrier's marketing efforts in connection with marketing their telecommunications services. BLC Listed Name and Address service provides a list of customers available for subscription within BLC central offices. The data base is updated monthly.

## **VI. Operator Services and Directory Assistance**

Access to Operator Services and Directory Assistance will continue to be available through the customer's local exchange carrier or interLATA carrier. No industry standard exist for access to Operator Services and Directory Assistance unique to intraLATA services. For Operator Services, customers dial "0" to reach their local exchange operator and "00" to reach their interLATA operator. For Directory Assistance, customers dial "1-411" for accessing the local exchange Directory Assistance and dial "1-NPA-555-1212" for accessing their interLATA carrier's Directory Assistance.


## **VII. Cost Recovery**

BLC does not request any cost recovery since intralata dialing parity will be implemented with the offering of service.

## **VIII. Statement of Compliance**

BLC will comply with all rules of the FCC and the TRA.

Executed as of the 13<sup>th</sup> Day of April, 1999

  
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Judy Kelsey  
Operations Manager